

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

AARON J. SHEPARD and NICOLE
H. SHEPARD, individually, and on
behalf of the marital community,

Plaintiff,

v.

CHELAN COUNTY, by and through
its Agency the CHELAN COUNTY
SHERIFF'S OFFICE, a Washington
Municipal Corporation,

Defendants.

CASE NO: 2:23-CV-0041-TOR

**ORDER SETTING TELEPHONIC
SCHEDULING CONFERENCE**

TELEPHONIC SCHEDULING CONFERENCE

DATE: June 29, 2023 TIME: 8:15 AM

The parties shall call the Court's conference line on the date and time indicated for a mandatory Telephonic Scheduling Conference before Judge Thomas O. Rice. All pro se parties and/or an attorney substantively familiar with the case must participate in the telephonic scheduling conference.

PHONE NUMBER: (888) 273-3658

ACCESS CODE: 2982935

SECURITY CODE: [last 4 digits of case number]

1 The use of cellular phones is permitted for telephonic proceedings provided the caller is in an area with adequate cell service and minimal background noise.

2 Neither landline nor cellular phones may not be used in speaker mode or with a wireless headset. All phones shall be muted unless addressing the Court.

3 Rule 26(d)(1) prohibits a party from seeking discovery from any source before the parties have had their Rule 26(f) conference. The parties shall make their Rule 26(a)(1) initial disclosures at or within 14 days after this Rule 26(f) conference.

4 To ensure that discovery and trial preparation advances efficiently, the parties shall discuss each and every one of the following subjects during the Rule 26(f) conference and then file a combined report addressing **each one of these subjects** not less than **14 days before** the Scheduling Conference:

- 5 a. whether jurisdiction and venue exist and, if they do exist, the basis for each;
- 6 b. whether service of process is complete and, if not, a deadline for completion;
- 7 c. a brief description of the claims and defenses;
- 8 d. whether a statute's constitutionality is being challenged, see Fed. R. Civ. P. 5.1, and whether the required notice has been provided;
- 9 e. whether any issues should be certified to a state supreme court;
- 10 f. suggested deadline¹ for adding additional parties, amending the pleadings, and seeking class certification;
- 11 g. whether all non-government corporate parties have filed the necessary ownership statement, see Fed. R. Civ. P. 7.1;
- 12 h. whether the case involves a minor or incompetent party and whether the appointment of a guardian *ad litem* is necessary, see LCivR 17(c);
- 13 i. discovery;

14 ¹ All suggested deadlines should be a date certain, e.g. January 1, 2024.

- confirmation that initial disclosures, see Fed. R. Civ. P. 26(a)(1), will be accomplished by the time of the hearing;
- subjects on which discovery may be needed;
- any issues about preserving discoverable information, including electronically stored information;
- claims of privilege, protection of confidentiality, and proposed confidentiality agreements;
- proposed agreements reached under Fed. R. Evid. 502;
- proposed modifications to the standard discovery procedures, including bifurcation and/or consolidation of discovery, or an increase in the allowed number of depositions (10), interrogatories (25), requests for production (30), or requests for admission (15);
- suggested expert disclosure deadlines; and
- suggested discovery cut-off;

j. anticipated motions and suggested dispositive motion filing deadlines;

k. trial:

- whether a jury has been requested. In cases removed from state court in which a party desires a jury trial, a jury demand must be filed within 30 days after removal, see LCivR 38(d);
- suggested trial date(s) and location;
- anticipated length of trial;
- requests for bifurcation; and
- the need for special audio/visual courtroom technology;

l. the likelihood for settlement and the point at which the parties can conduct meaningful dispute resolution, and

m. any other matters that may be conducive to the just, speedy, and inexpensive determination of the action.

DATED May 18, 2023.



A handwritten signature in blue ink that reads "Thomas O. Rice".

THOMAS O. RICE
United States District Judge